

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

**JORGE V MELENDEZ PADILLA
CARMEN M CINTRON CRUZ**

Debtor(s)

Case No.: 10-07621 SEK

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to devote only 50% tax refund to the trustee.

WHEREFORE, it is respectfully requests to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mal to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 14th day of October of 2010.

JPC LAW OFFICE

Jose M Prieto Carballo, Esq
P.O. Box 363565
San Juan, P.R. 00936-3565
Tel (787) 607-2066 & Tel (787) 607-2166
jpc@jpclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 10-07621-13

MELENDEZ PADILLA, JORGE V & CINTRON CRUZ, CARMEN M

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>10/14/2010</u>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>250.00</u> x <u>60</u> = \$ <u>15,000.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ <u>15,000.00</u> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ <u>15,000.00</u>	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>USDA RURAL DEVELOPMENT</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5). ATTORNEY'S FEES WILL BE PAID PRO RATA WITH ARREARS OWED TO RELIABLE FIN AHEAD OF SECURED CREDITORS PER 11 USC 330. 50% TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN.
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,674.00</u>	
Signed: <u>/s/ JORGE V MELENDEZ PADILLA</u> Debtor <u>/s/ CARMEN M CINTRON CRUZ</u> Joint Debtor	

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing 0104-3 Case 10-07621-SEK13 District of Puerto Rico Old San Juan Thu Oct 14 18:24:08 AST 2010	RECOVERY MANAGEMENT SYSTEMS CORP GE MONEY BANK (SAM'S CLUB) 25 S.E. 2ND AVENUE, SUITE 1120 MIAMI, FL 33131-1605	US Bankruptcy Court District of P.R. U.S. Post Office and Courthouse Building 300 Recinto Sur Street, Room 109 San Juan, PR 00901-1964
BANCO SANTANDER P O BOX 362589 SAN JUAN, PR 00936-2589	BANK OF AMERICA P O BOX 1532 WILMINGTON, DE 19899-1532	CITIFINANCIAL P O BOX 71328 SAN JUAN, PR 00936-8428
CITIFINANCIAL P O BOX 9300 SAN JUAN, PR 00908-0300	FIRST BANK OF PR FIA CARD SERVICES P O BOX 15026 WILMINGTON, DE 19850-5026	Fia Card Services, NA As Successor In Intere Bank of America NA and Mbna America Bank 1000 Samoset Drive DE5-023-03-03 Newark, DE 19713-6000
IRS P O BOX 21125 PHILADELPHIA, PA 19114-0325	ISLAND FINANCE P O BOX 715404 SAN JUAN, PR 00936	MULTI -VENTAS Y SERVICIOS PR P O BOX 6012 CAGUAS, PR 00726-6012
NCO FINANCIAL P O BOX 192478 HATO REY, PR 00919-2478	SAMS P O BOX 103104 ROSWELL, GA 30076-9104	SANTANDER FINANCIAL D/B/A ISLAND FINANCE PO BOX 195369 SAN JUAN PR 00919-5369
SEARS P O BOX 6241 SIOUX FALLS, SD 57117-6241	SECURITY CREDIT SERVICES, LLC 5440 N CUMBERLAND AVE STE 300 CHICAGO, IL 60656-1486	USDA RURAL DEVELOPMENT P O BOX 66889 ST LOUIS, MO 63166-6889
USDA RURAL HOUSING SERIVCE Centralized Servicing Center P O Box 66879 St. Louis, MO 63166-6879	ALEJANDRO OLIVERAS RIVERA ALEJANDRO OLIVERAS, CHAPTER 13 TRUS PO BOX 9024062 SAN JUAN, PR 00902-4062	CARMEN M CINTRON CRUZ 27 CALLE AZUCENA URB JARDINES DE NARANJITO NARANJITO, PR 00719-4402
JORGE V MELENDEZ PADILLA 27 CALLE AZUCENA URB JARDINES DE NARANJITO NARANJITO, PR 00719-4402	JOSE M PRIETO CARBALLO JPC LAW OFFICE PO BOX 363565 SAN JUAN, PR 00936-3565	MONSITA LECAROS ARIBAS OFFICE OF THE US TRUSTEE (UST) OCHOA BUILDING 500 TANCA STREET SUITE 301 SAN JUAN, PR 00901-1938

End of Label Matrix

Mailable recipients	23
Bypassed recipients	0
Total	23